

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

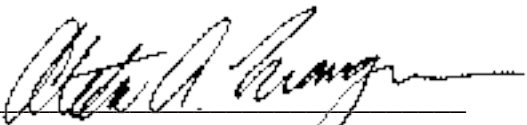
UNITED STATES OF AMERICA)	
)	
)	
v.)	Criminal No. 3:12-00026
)	Judge Trauger
JAMES SHAUB, II)	
)	

ORDER

The defendant has filed a Motion For a Bill of Particulars (Docket No. 69), to which the government has filed a Response (Docket No. 72). The motion is **DENIED**. The information furnished by the government in its Response and in meetings with defense counsel sufficiently advises the defendant of the inception of the charged check kiting scheme, and the court finds that, if the proof establishes that the scheme began in September 2007, that is “reasonably near” the beginning date in the Indictment of January 15, 2008. *United States v. Benson*, 591 F.3d 491, 497 (6th Cir. 2010). The court finds that the defendant has sufficient information to prepare for trial, will not be surprised by the proof at trial and that there is no danger that he will exposed to double jeopardy.

It is so **ORDERED**.

ENTER this 11th day of April 2014.



ALETA A. TRAUGER
U.S. District Judge